# Annex 13

## Index of Cases Concluded by Full Investigation

| Case No. | Complaint | Conclusion |
|---|---|---|
| **Agriculture, Fisheries & Conservation Department** | | |
| 2007/6013 | Unreasonably euthanising the complainant's lost dog before she could reclaim it | Partially substantiated* |
| **Buildings Department** | | |
| 2007/3441 | Unreasonably issuing demolition order and Warning Notice to the complainant | Partially Substantiated* |
| 2008/0155(I) | Delay in replying and unreasonably refusing to provide the complainant with a copy of the investigation report on water seepage | Substantiated* |
| 2008/0419(I) | Refusing to provide the complainant with the photographs taken in his building and copies of the relevant correspondence | Substantiated* |
| 2008/1747(I) | Unreasonable refusal to provide the complainant with a copy of the investigation report on water seepage | Substantiated* |
| **Environmental Protection Department** | | |
| 2008/0074 | (a) Unreasonably refusing an application for exemption from the smoke emission test for a retired Government vehicle; and<br>(b) Failing to inform the complainant of his right of appeal against the Department's decision | Partially substantiated* |
| 2008/0234 | Failing to take enforcement action against illegal breeding of pigeons on the rooftop of a building | Substantiated* |
| **Fire Services Department** | | |
| 2008/0200 | Rashly removing the newly installed bollards on a pavement and disregarding the safety of pedestrians | Unsubstantiated |
| 2008/0420(I) | Refusing to provide the complainant with the photographs taken in his building and copies of the relevant correspondence | Partially substantiated* |
| **Food and Environmental Hygiene Department** | | |
| 2007/4541 | Shirking responsibility to take enforcement action against illegal parking of bicycles at a public transport interchange | Unsubstantiated |
| 2008/0156(I) | Delay in replying and unreasonably refusing to provide the complainant with a copy of the investigation report on water seepage | Substantiated* |
| 2008/1748(I) | Unreasonable refusal to provide the complainant with a copy of the investigation report on water seepage | Substantiated* |

(Cases with * have recommendation(s) in the investigation reports.)

# Annex 13

## Index of Cases Concluded by Full Investigation

| Case No. | Complaint | Conclusion |
|---|---|---|
| **Government Logistics Department** | | |
| 2008/0285 | Failing to inform bidders that a retired Government vehicle sold at a Government auction would be required to pass the smoke emission test | Unsubstantiated |
| **Government Property Agency** | | |
| 2008/1068 | Shirking responsibility to take enforcement action against illegal parking of bicycles at a public transport interchange | Unsubstantiated |
| **Government Secretariat – Chief Secretary for Administration's Office** | | |
| 2008/0067 | Failing to handle properly the complainant's enquiries on her lost dog | Substantiated* |
| **Highways Department** | | |
| 2008/0225 | Rashly removing the newly installed bollards on a pavement and disregarding the safety of pedestrians | Unsubstantiated |
| **Home Affairs Department** | | |
| 2007/5352 | Shirking responsibility to take enforcement action against illegal parking of bicycles at a public transport interchange | Unsubstantiated |
| 2007/5860 | Failing to take proper action against illegal widening of a footpath which was misused as vehicle access | Unsubstantiated* |
| 2008/0972 | Unreasonably requiring the complainant to pay additional hire charge | Substantiated* |
| **Hong Kong Examinations and Assessment Authority** | | |
| 2008/2001 and others | Changing the marking scheme for a paper in a public examination | Substantiated other than alleged |
| **Hong Kong Housing Authority** | | |
| 2007/4668 | Refusing to repair the defects on the buildings of a Tenants Purchase Scheme estate | Substantiated other than alleged |
| **Hong Kong Housing Society** | | |
| 2008/1681 | Erecting unauthorised structures in a housing estate and failing to demolish them as soon as possible | Substantiated |
| **Hospital  Authority** | | |
| 2007/5624 | Unreasonably asking the complainant for payment of her new-born baby's hospitalisation charges 13 years ago | Substantiated* |
| 2008/0005 | Failing to provide proper non-emergency ambulance transfer service | Substantiated* |

(Cases with * have recommendation(s) in the investigation reports.)

| Case No. | Complaint | Conclusion |
|---|---|---|
| **Housing Department** | | |
| 2007/0310 | Unreasonably refusing to refund to the complainants the rent deposit paid by their late son | Partially substantiated * |
| 2007/4217 | Unreasonably requiring the complainant to transfer to another flat soon after she moved into her flat | Unsubstantiated* |
| 2007/4263 | Failing to properly handle a complaint about noise nuisance | Unsubstantiated |
| 2007/4440 | (a) Delay in handling a ceiling seepage complaint; and<br>(b) Refusing to accede to the complainant's demand for compensation | Unsubstantiated |
| 2007/4667 | Refusing to repair the defects on the buildings of a Tenants Purchase Scheme estate | Substantiated other than alleged |
| 2007/4889 | Refusing to compensate the complainant for the property damage caused by a burst of salt water pipes in the upper floor unit | Unsubstantiated |
| 2007/4948 | Failing to refund the rates for the relevant period to the complainant in accordance with Government's decision on rates concession | Substantiated other than alleged* |
| 2007/4958<br>2007/4959<br>2007/4960<br>2007/4961<br>2007/4962<br>and others | Unreasonably requiring complainants who are owners of HOS flats to take up management of a footbridge open to the public. | Partially substantiated |
| 2007/5691 | Unreasonably requiring the complainant to remove a gas pipe in her flat when she moved out | Unsubstantiated |
| 2008/1460 | Unreasonably refusing the complainant's request to delete from his tenancy the name of his ex-wife who had moved out many years ago | Unsubstantiated |
| 2008/2251 | Unreasonably rejecting the complainant's application for adding his son to his tenancy | Partially substantiated |
| 2008/2677 | Failing to monitor the licensed operator of a market, thus resulting in confusion in rates assessment | Substantiated other than alleged* |
| **Immigration Department** | | |
| 2008/2476 | Delay in handling a case of suspected illegal deployment reported by a foreign domestic helper | Unsubstantiated |
| 2008/3397 | Wrongly issuing the same identity card numbers to two persons | Substantiated* |
| **Intellectual Property Department** | | |
| 2008/3417 | Unreasonably rejecting an application for registration of trademarks | Substantiated* |

(Cases with * have recommendation(s) in the investigation reports.)

# ANNEX 13

## INDEX OF CASES CONCLUDED BY FULL INVESTIGATION

| Case No. | Complaint | Conclusion |
|---|---|---|
| **Labour Department** | | |
| 2007/5889 | Mishandling a labour dispute claim against the complainant | Unsubstantiated* |
| **Lands Department** | | |
| 2007/2180 | (a) Failing to properly follow up a complaint about flooding problem; and<br>(b) Failing to inform the complainant of the progress of her case | Substantiated* |
| 2007/2501 | Failing to take lease enforcement action against a private estate | Substantiated* |
| 2007/2632 | Failing to take proper action against illegal widening of a footpath which was misused as vehicle access | Substantiated* |
| 2007/4542 | Shirking responsibility to take enforcement action against illegal parking of bicycles at a public transport interchange | Unsubstantiated |
| **Leisure and Cultural Services Department** | | |
| 2006/4311 | Failing to resolve the problem of management and maintenance responsibility for a recreational park | Partially substantiated* |
| **Office of the Telecommunications Authority** | | |
| 2007/5700 | Mishandling the complainant's request for assistance in resolving its internet network problem | Unsubstantiated |
| **Planning Department** | | |
| 2008/3034(I) | Unreasonably refusing to provide the minutes of a Town Planning Board meeting | Partially substantiated* |
| **Rating and Valuation Department** | | |
| 2008/2678 | (a) Failing to check that the rates of many stalls in a market had not been assessed for several years despite an annual revaluation; and<br>(b) Failing to carefully examine the rental schedules submitted by the licensed operator of the market | Substantiated |
| **Social Welfare Department** | | |
| 2006/4299 | Mishandling a complaint about 16 cases of abuse of mentally handicapped service users by staff in a sheltered workshop operated by a non-government organisation | Substantiated other than alleged* |
| 2007/2665 | Unreasonably refusing retrospective payment of disability allowance to the complainant's deceased mother | Partially substantiated* |

(Cases with * have recommendation(s) in the investigation reports.)

| Case No. | Complaint | Conclusion |
|---|---|---|
| 2007/5721(I) | (a) Failing to inform the complainant immediately that his daughter was admitted to a refuge for women;<br>(b) Unreasonably asking for a written statement from the complainant that he would not contact the Department's headquarters and refusing to provide him with a copy of that statement; and<br>(c) Unreasonably refusing the request by his lawyer for information about his daughter's case | Substantiated other than alleged* |
| 2008/2385 | (a) Improperly suspending the old age allowance of an aided person before his application for disability allowance was approved; and<br>(b) Mistaking the aided person's hospital admission date to be his date of death and stopping his disability allowance from that date | Substantiated other than alleged* |
| **Student Financial Assistance Agency** | | |
| 2007/4795 | Failing to reply to the complainant's email enquiries | Substantiated |
| **Transport Department** | | |
| 2007/4056 | Shirking responsibility to take enforcement action against illegal parking of bicycles at a public transport interchange | Substantiated* |
| 2007/4752 | (a) Failing to resolve the long-standing problem of opening a boulevard in a private residential development to heavy vehicles, thereby affecting the safety of the local residents and causing traffic congestion; and<br>(b) Being unfair to the local residents in requiring them to bear the maintenance responsibility of the boulevard | Unsubstantiated |
| 2007/6091 | Installing railing outside the complainant's vehicle repairs shop without prior notice, thus affecting its business | Substantiated other than alleged* |
| 2008/0226 | Rashly removing the newly installed bollards on a pavement and disregarding the safety of pedestrians | Substantiated* |
| **Water Supplies Department** | | |
| 2007/4684 | Failing to give adequate notice to the public about the cancellation of an enquiry number | Substantiated* |
| 2008/0266 | Unreasonably destroying the complainant's file records | Substantiated other than alleged |

(Cases with * have recommendation(s) in the investigation reports.)